

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MAURICE WILLIAMS,

Plaintiff,

v.

NATHANIEL BURKEMPER, et al.,

Defendants.

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No. 4:07-CV-189 CAS

MEMORANDUM AND ORDER

This prisoner civil rights matter is before the Court on plaintiff Maurice Williams' motion for a three-judge panel to initiate prisoner release pursuant to 18 U.S.C. § 3626(a)(3)(B). The motion is without merit and should therefore be denied.

Title 18 U.S.C. § 3626(a)(3)(A) states that,

In any civil action with respect to prison conditions, no court shall enter a prisoner release order unless--

(I) a court has previously entered an order for less intrusive relief that has failed to remedy the deprivation of the Federal right sought to be remedied through the prisoner release order; and

(ii) the defendant has had a reasonable amount of time to comply with the previous court orders.


18 U.S.C. § 3623(a)(3)(A).

Neither of the requirements of 18 U.S.C. § 3626(a)(3)(A) have been met in this matter. As a result, the Court is without authority to grant the requested relief.

Accordingly,

IT IS HEREBY ORDERED that Williams' motion for a three-judge panel to initiate prisoner release pursuant to 18 U.S.C. § 3626(a)(3)(B) is **DENIED**. [Doc. 9]

IT IS FURTHER ORDERED that Williams' alternative motion for an evidentiary hearing is **DENIED** as moot. [Doc. 9]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of March, 2007.